

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	Cr. No. 05-00189DAE-01
)	
Plaintiff,)	
)	
v.)	
)	
KEITH IMAI,)	DECLARATION OF COUNSEL
(01))	
)	
Defendant.)	
_____)	

DECLARATION OF COUNSEL

I, MYLES S. BREINER, declare as follows:

1. I am the attorney of record for Defendant Keith Imai in the above-captioned matter.
2. On May 12, 2005, Defendant Imai was indicted for various drug distribution offenses, including conspiracy to distribute and possess methamphetamine.
3. Counsel has reviewed all discovery provided to date, and it is unclear what evidence, if any, was presented to the Grand Jury to indict Defendant for the charges alleged.
4. The defense would like an opportunity to review the grand jury transcripts to review the evidence the Government presented at the grand jury hearing and may present at trial in this matter.
5. In order to thoroughly prepare for trial, the defense needs to review the transcript, and prepare for any witnesses who previously testified before the grand jury. Defendant should be afforded an opportunity to examine the grand jury testimony of witnesses against him, and be prepared to impeach these witnesses at trial in the of any inconsistent

statements.

6. Based on the foregoing, Defendant Imai respectfully requests the Court grant the instant motion, and order the transcript of the grand jury hearing in this case be prepared for Defendant's examination.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on 3/8, 2006.



MYLES S. BREINER